

GOVERNMENT OF ANDHRAPRADESH  
ABSTRACT

District Planning Committee – Anantapur District – W.P. No. 7277/2009 filed by Sri D. Siva Prasad, IAS (Retd) – Orders of the Hon’ble High Court - Removal of the name of Sri B. Sriramulu, Member, DPC, Anantapur as nominated member under expert category – Orders – Issued.

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PANCHAYATI RAJ AND RURAL DEVELOPMENT (MDL.I) DEPARTMENT

G.O.Ms. No. 339

Dated 10 October, 2011.  
Read the following:

1. G.O. Ms. No. 418, Panchayati Raj & Rural Development (Elections & Rules) Department, Dated 6.9.2007.
2. Hon’ble High Court orders Dated 23.09.2009 in W.P. No. 7277/2009 filed by Sri D. Siva Prasad, IAS (Retd).
3. Govt. Memo. No. 13340/Mdl.I/A2/2009, Dated 04.05.2010.

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In the Government Order 1<sup>st</sup> read above, Government have nominated Sri B. Sriramulu, S/o Sri B. Sanjeevanna, Guttur (PO), Penukonda Mandal, Anantapur District as member to the District Planning Committee, Anantapur under category “expert’ Group.

2. Aggrieved by the said orders, Sri D. Siva Prasad, IAS (Retd) who represented earlier to the Government to nominate him as a member of District Planning Committee, Anantapur under expert category has filed a W.P. before Hon’ble High Court of Andhra Pradesh.

3. The Hon’ble High Court of Andhra Pradesh has passed orders on 23.9.2009 in W.P. No. 7277/2009 filed by Sri D. Sivaprasad, IAS (Retd) challenging the nomination of Sri B. Sriramulu, Member, District Planning Committee, Anantapur under category of Expert group as follows:

“on a careful analysis of the Bio-datas, as can be seen from column No.9 and column NO.10 of the bio-data of third respondent, it cannot be said that the third respondent would not fall within the category of ‘expert’ at all and hence, the prerogative and the discretion exercised by the first respondent in appointing or nominating the said respondent to the committee cannot be found fault. But, however, as far as the second respondent is concerned, column No.9 and column No.10 of the bio-data are kept blank and it is not known what qualifications the second respondent possesses, to be qualified to fall under the ‘expert’ category. However, since columns 9 and 10 are kept blank, this court is satisfied that as far as the appointment or nomination of second respondent to the committee is concerned, the same can not be said to be in accordance with the Provisions of the Act aforesaid. Hence, G.O.Ms.NO.418, P.R.&R.D. (Elections & Rules) 06.09.2007 is partly held to be invalid in so far as it relates to the appointment or nomination of the second respondent but however it is made clear that the first respondent is at liberty to consider the case of the second respondent also in the event of producing relevant material to satisfy the first respondent about his qualifications and the merit to fall within the category of ‘expert’. It is also made clear that it is for

the first respondent to consider the case of the petitioner if the first respondent is so advised.

Accordingly, the writ petition is partly allowed to the extent indicated above holding that the appointment or nomination of the second respondent cannot be said to be in accordance with the provisions of this Act. No costs. It is suffice to state that educational qualification is shown as B.A. and let the second respondent satisfy the first respondent about the other qualifications, if any, so as to fall under the category of the 'expert' as ordained by the provisions of the Act."

4. In compliance with the above orders, Sri B. Sriramulu, Member, District Planning Committee was issued a show cause notice vide reference 3<sup>rd</sup> read above and requested to appear before the Hon'ble Minister for Panchayati Raj, 111<sup>rd</sup> Floor, "j" Block, Secretariat, Hyderabad on 17.05.2010 at 4.00 P.M. with all documentary evidence to present his case. Sri D. Siva Prasad, IAS was also requested to appear before the Hon'ble Minister for Panchayati Raj, at the same place, same time with all documentary evidence to represent his case as to why his name should be considered to the post of Member to the District Planning Committee under 'expert' category in place of Sri B. Sriramulu, S/o Sri B. Sanjeevanna, Guttur(PO), Penugonda Mandal, Anantapur Dist.

5. Dr. D.Siva Prasad, IAS (retd) has appeared before the Hon'ble Minister (PR) on 17.05.2010 at 4.00 P.M. whereas Sri B.Sriramulu, Member of the District Planning Committee did not appear to represent his case.

6. Government have examined the matter and after careful consideration decided to remove the name of Sri B. Sriramulu, Member of the District Planning Committee, Anantapur from the nominated members of the District Planning Committee, Anantapur under 'Expert' category in compliance with orders of Hon'ble A.P. High court, Hyderabad dated 23.09.2011 in W.P. No. 7277/2009 and accordingly, the name of Sri B. Sriramulu, Member, District Planning Committee, Anantapur is removed from the nominated members of the District Planning Committee, Anantapur under "expert' category.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DR.RAJIV SHARMA  
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri B. Sriramulu,  
S/o B. Sanjeevanna  
Guttur (PO)  
Penukonda Mandal  
Anantapur District (In duplicate) through the CEO, ZPP, Anantapur  
for dated acknowledgement)

Copy to:

The District Collector & Member Secretary,  
District Planning Committee, Anantapur  
The Chief Executive Officer, Anantapur  
The Commissioner, Panchayati Raj and Rural Employment,  
Andhra Pradesh, Hyderabad

// FORWARDED BY ORDER //

SECTION OFFICER